

AMENDED

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 13 1989  
 Returned to applicant for correction MAY 08 1989  
 Corrected application filed APR 12 1989 Map filed MAR 24 1989 under 52954

The applicant Douglas County  
P.O. Box 218 of Minden  
Street and No. or P.O. Box No. City or Town  
Nevada 89423 hereby make <sup>S</sup> application for permission to change the  
State and Zip Code No.  
Point of Diversion and Place of Use  
Point of diversion, manner of use, and/or place of use  
Permit 45710  
 of water heretofore appropriated under  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is Underground  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 1.0 c.f.s.  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Quasi - Municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Quasi - Municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 5, T.13 N., R. 20 E.,  
M.D.B.&M., or at a point from which the N $\frac{1}{4}$  corner of Section 4, T.  
13 N., R. 20 E., M.D.B.&M., bears N. 59°06' E. 3528 feet.  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
- The existing permitted point of diversion is located within NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 9, T. 13 N., R.  
20 E., M.D.B.&M., or at a point from which the N $\frac{1}{4}$  corner of Section  
4, T. 13 N., R. 20 E., M. D. B.&M., bears N. 02° 45' 36" E., 5,658.3  
feet.  
If point of diversion is not changed, do not answer.
- Proposed place of use E $\frac{1}{2}$  of Section 5, W $\frac{1}{2}$  of Section 4; W $\frac{1}{2}$  of Section 9; E $\frac{1}{2}$ ,  
SE $\frac{1}{4}$  SW $\frac{1}{4}$  and a portion of Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 8; E $\frac{1}{2}$ , NE $\frac{1}{4}$  NW $\frac{1}{4}$  and a portion of NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section  
17; W $\frac{1}{2}$  of Section 16; a portion of NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 20; and a portion  
of NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 21, all in T. 13 N., R. 20 E., M.D.B.&M.,  
Douglas County, Nevada.
- Existing place of use NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 9, T. 13 N., R. 20 E., M.D.B.&M.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well, pump, motor,  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
distribution system.  
pipes and flumes, or drilled well, etc.
- Estimated cost of works \$600,000.00
- Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Refer to map filed in support of 45710 for existing Point of  
Diversion and existing Place of Use. Proposed Point of Diversion  
and Place of Use are shown on Douglas County Map on file in the  
State Engineer's Office, under 52954

By /s/ Jack D. Ferris  
THIEL, WINCHELL & ASSOCIATES, INC.  
5151 So. Carson Street, Suite 301  
Carson City, Nevada 89701

Compared kh/ se bp/vw

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 45710 is issued subject to the terms and conditions imposed in said Permit 45710 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 52954, 52955, 52956, 52957, 52958, 53010 and 53011 shall not exceed 149.29 million gallons annually.

The total combined duty of water under Permits 53010 and 53011 shall not exceed 73 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 73.0 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before October 12, 1990

Proof of completion of work shall be filed before November 12, 1990

Application of water to beneficial use shall be made on or before October 12, 1992

Proof of the application of water to beneficial use shall be filed on or before November 12, 1992

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed NOV 5 1990

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

2407 (Rev. 6-81)

IN TESTIMONY WHEREOF, R. MICHAEL TURNIPSEED, P.E.,  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 20th day of April

A.D. 19 90

*[Signature]*  
State Engineer

Abrogated By 65865.1.0